

## ENROLLED ORDINANCE 158-3

### AMEND, REPEAL, RECREATE AND CREATE CERTAIN PROVISIONS OF CHAPTER 4 OF THE WAUKESHA COUNTY CODE OF ORDINANCES

WHEREAS the former Waukesha County Code of Ordinances was repealed and a new Waukesha County Code of Ordinances was created by enactment of Enrolled Ordinance 157-O-107 adopted by the Waukesha County Board of Supervisors on January 28, 2003, and

WHEREAS the new Waukesha County Code of Ordinances, Chapter 4, was amended, repealed, recreated and reorganized by enactment of Enrolled Ordinance 157-O-122 adopted by the Waukesha County Board on March 11, 2003, such changes being mostly non-substantive, and

WHEREAS a third stage of amendment to Chapter 4 of the Code is necessary to correct, clarify, or change factual or procedural matters, and

WHEREAS Chapter 4 of the Code, titled "County Board Operating Procedures and Rules" has been reviewed by the Executive Committee which recommends to the County Board changes to the Code.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES  
HEREBY ORDAIN AS FOLLOWS:

Section 1. Repeal and recreate Section 4-28(e) to read as follows:

The chairperson shall preserve order and decorum and shall decide questions of order subject to an appeal by any member of the county board of supervisors. The chairperson may speak on points of order, leaving his/her seat for that purpose.

Section 2. Repeal and recreate Section 4-50(a) (3) to read as follows:

Except for the months of July, September and December, the board shall hold regular meetings on the second and fourth Tuesday of each month to transact business, unless moved to a different date prior to adjournment of the previous meeting or after adjournment at the call of the county board chairperson. In the months of July and September, the board shall hold a regular meeting on the fourth Tuesday of the month. In the month of December, the board shall hold a regular meeting on the third Tuesday of the month. Regular meetings shall be deemed to be adjournments of the annual or organizational meeting and any business that may be taken up at such annual or organizational meeting may be taken up at such regular meeting.

Section 3. Repeal and recreate Section 4-50(b) to read as follows:

Meetings of the county board of supervisors shall be held at 7:00 p.m. on the second Tuesday of the month and at 9:00 a.m. on the third or fourth Tuesdays of the month, unless moved to a different time prior to adjournment of the previous meeting or after adjournment at the call of the county board chairperson. The time of adjournment shall be determined by the amount of work before the county board of supervisors.

Section 4. Repeal and recreate Section 4-61 to read as follows:

- (a) This division shall not be rescinded or changed unless a written notice reaches the chairperson's office at least one (1) week prior to the next meeting of the county board of supervisors so it can be noted on the agenda. The notice of motion to rescind or change sections in this division shall include the proposed amendment language in full.
- (b) This division shall not be suspended, changed, or rescinded except by vote of at least two-thirds of the members present.

Section 5. Repeal and recreate Section 4-76 to read as follows:

A motion to adjourn, to lay on the table, to call for the question, or to call for the previous question, shall be decided without debate, and all incidental questions of order arising after a motion is made for any questions named in this section, and pending such motion shall be decided, whether on appeal or otherwise, without debate.

Section 6. Repeal and recreate 4-77(a) to read as follows:

When a question is under debate, no motion shall be received except:

- a. To adjourn;
- b. To lay on the table;
- c. To call for the question (limit debate);
- d. To call for the previous question;
- e. To postpone to a day certain;
- f. To commit to a committee;
- g. To amend; or
- h. To postpone indefinitely.

Section 7. Repeal and recreate Section 4-78 to read as follows:

Any member of the county board of supervisors who is in order and has the floor may call for the previous question, and if the motion shall be seconded by five (5) members, other than the mover, the question announced by the county board chairperson shall be, "Shall the main question now be put?" If two-thirds of the members present vote in the affirmative, the main question shall be put without further debate and all amendments not previously adopted shall be deemed lost.

Section 8. Repeal and recreate Section 4-81 to read as follows:

Every member present when a question is put shall vote unless, for special cause, the member is excused by a majority vote of the members present, but it shall not be in order for a member to be excused after voting has commenced. Any member has the right to change their vote up to the time the vote is finally announced by the chairperson, and such member shall rise to get the floor in order to change their vote prior to the announcement of the vote by the chairperson. Thereafter, a member shall not be allowed to change his vote, even with unanimous consent.

Section 9. Create a new Section 4-83 to read as follows:

When the chairperson's decision on a point of order is appealed, no member shall speak more than once unless by leave of the county board of supervisors. On appeal, the question shall be: "Shall the decision of the chairperson stand as the judgment of the county board?" This question and the action of the county board of supervisors on it shall be entered in the minutes of the proceedings.

Section 10. Create a new section numbered 4-84 to read as follows:

The order of business, as established by the published county board agenda, may be changed only by announcement of the county board chairperson, but if there is an objection, then only by a vote of at least two-thirds of the members present.

Section 11. Repeal Section 4-91(b) and repeal and recreate Section 4-91(a) to read as follows:

Except at the discretion of the county board chairperson, all ordinances, resolutions and orders proposed for adoption must be in written, final form and in the office of the county board chairperson before they can be noted on the county board agenda.

Section 12. Repeal and recreate Section 4-93 to read as follows.

An ordinance is necessary to create a new position or to reclassify an existing position, and it requires a majority vote of members present for adoption. An ordinance which creates a new position or which reclassifies an existing position and which changes a current year budget appropriation requires a two-thirds vote of the entire board for adoption.

Section 13. Repeal and recreate Section 4-105(f)(2) to read as follows:

To formulate long-range capital and strategic plans; to review such plans as are submitted to it by other standing committees, the county executive, departments, boards, commissions, or other source; and to make policy recommendations concerning such plans to the county board. The five-year capital plan will be formulated with special attention given to proposals:

- a. To add a project to the first year of the capital plan.
- b. To delete a project from the first year of the capital plan.
- c. To make a significant change in the scope of a specific project scheduled in the first year of the capital plan which also appeared in the corresponding year in the last capital plan adopted by the county board.

Section 14. Repeal and recreate Section 4-200(b) to read as follows:

The county park and planning commission shall consist of seven (7) members, three (3) of whom are members of the county board. The members shall be appointed by the county executive for terms of seven (7) years. In addition, two (2) alternate members shall be appointed in accordance with Wisconsin Statute 59.69.

Section 15. Repeal Section 4-200(f) in its entirety.

Section 16. Repeal and recreate Section 4-216(c) to read as follows:

In October, the executive committee shall present a resolution to the county board to adopt the five-year capital plan. The county board may add or delete projects or make changes to projects and their scheduling by majority vote.

Section 17. This ordinance shall be effective upon approval and publication.

Section 18. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Waukesha, Wisconsin as an addition or amendment thereto and shall be appropriately renumbered to conform to the numbering system contained therein.

Section 19. Any code section or part of a section in conflict with this ordinance is hereby repealed and declared null and void and of no effect.